

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ADVENT INTERNATIONAL
CORPORATION,

Petitioner,

v.

ANDRE EL-MANN ARAZI, GONZALO
PEDRO ROBINA IBARRA, FIBRA UNO
ADMINISTRACION S.A. DE C.V.,

Respondents.

Misc. Case No.:

Underlying Action:

*Servicios Funerarios GG, S.A. de C.V. v.
Advent International Corporation*, Case No.
23-CV-10684-IT (D. Mass.)

**PETITIONER’S MOTION TO COMPEL
ANDRE EL-MANN ARAZI, GONZALO PEDRO ROBINA IBARRA, AND FIBRA UNO
ADMINISTRACION S.A. DE C.V. TO COMPLY WITH PETITIONER’S SUBPOENAS**

Pursuant to Federal Rule of Civil Procedure 45, Petitioner Advent International Corporation, n/k/a Advent International, L.P. (“AIC”), respectfully moves for an order compelling Respondents Andre El-Mann Arazi, Gonzalo Pedro Robina Ibarra, and Fibra Uno Administracion S.A. de C.V. (“Fibra Uno”) to comply with the subpoenas *duces tecum* and subpoenas *ad testificandum* served on Messrs. El-Mann, Robina, and Fibra Uno (together, the “Fibra Uno Parties”) on November 14 and 15, 2023 in connection with *Servicios Funerarios GG, S.A. de C.V. v. Advent International Corporation*, Case No. 23-CV-10684-IT (D. Mass.) (the “Massachusetts Action”). The Fibra Uno Parties share counsel and are non-parties to the Massachusetts Action.

AIC has conferred with the Fibra Uno Parties in a good-faith attempt to obtain the requested documents and depositions without the Court’s intervention. The Fibra Uno Parties responded to the subpoenas with general, blanket objections, refusing to produce any documents or to provide any witnesses for deposition. Despite AIC’s attempts to reach a resolution, the Fibra Uno Parties have continued to refuse to comply based on a purported absence of jurisdiction, a lack of control

over documents, and undue burden (regardless of the deposition location). AIC disagrees with each of these objections and respectfully moves the Court for an order (i) compelling the Fibra Uno Parties to comply with the subpoenas *duces tecum* by no later than February 29, 2024, and (ii) compelling the Fibra Uno Parties to comply with the subpoenas *ad testificandum* by no later than April 19, 2024.

Dated: January 10, 2024

Respectfully submitted,

/s/ Peter L. Welsh

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**Pro Hac Vice forthcoming*